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June 24, 2020

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VIA ECF AND ELECTRONIC MAIL

Honorable Stuart M. Bernstein
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, New York 10004-1408

Re: *Picard v. Michael Mann, et al.*, Adv. Pro. No. 10-04390 (SMB)

Dear Judge Bernstein:

We are counsel to Plaintiff Irving H. Picard, Esq., as Trustee for the substantively consolidated SIPA liquidation of Bernard L. Madoff Investment Securities LLC and the chapter 7 estate of Bernard L. Madoff, in the above-referenced adversary proceeding. Pursuant to Your Honor's approval on April 14, 2020 of the amended Case Management Order, and in advance of the July 1, 2020 Pre-Trial Conference, enclosed is a courtesy copy of the Joint Pre-Trial Order ("JPTO").

Counsel for Defendants BAM, L.P., Michael Mann, and Meryl Mann have advised us that they cannot stipulate to the JPTO as final for the reasons as set forth in counsel's May 12, 2020 letter to the Court, ECF No. 196, requesting a second extension of the pretrial deadlines. Counsel has asked us to convey their request to the Court that this form of the JPTO be treated as a draft, to be completed and finalized after Defendants' counsel have access to their office and office files.

The Trustee submits this order as the final JPTO as required by the extant Court-ordered deadlines. The Trustee has been working under the same restrictions and limitations to its New York City offices as Defendants. Even under such circumstances, the Trustee provided Defendants with case documents upon request, including duplicative copies of his experts' reports, document productions, and trial exhibits. For ease of use, these documents were produced on CDs to both counsel in .pdf form (where possible) and labeled either by Bates

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number or the title of the document. All documents requested by Defendants have been provided and no request remains outstanding. Accordingly, it is the Trustee's position that no further adjournment is necessitated by the circumstances of the parties, and therefore, the Trustee will be prepared to discuss a trial date on the limited remaining issue in dispute at the pre-trial conference.

Thank you for the Court's consideration of this matter and please contact the undersigned if you have questions or require further information.

Respectfully submitted,

/s/ Lan Hoang

Lan Hoang

Enclosure

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